

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 6/11/03 Item
C.C. 6/17/03 Item

File Number
PDC 03-001

Application Type
Planned Development Rezoning

Council District
8

Planning Area
Evergreen

Assessor's Parcel Number(s)
679-29-006; -007

STAFF REPORT

PROJECT DESCRIPTION

Completed by: John W. Baty

Location: Southwesterly side of Silver Creek Valley Road, opposite Beaumont Canyon Drive

Gross Acreage: 8.3

Net Acreage: 8.3

Net Density: n/a

Existing Zoning: A(PD)

Existing Use: 60,200 square-foot Retail Center

Proposed Zoning: A(PD)

Proposed Use: Up to 1,500 square-foot addition to existing Commercial Center

GENERAL PLAN

Completed by: JWB

Land Use/Transportation Diagram Designation
Silver Creek Planned Residential Community (Commercial)

Project Conformance:
☒ Yes ☐ No
☐ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: JWB

North: Silver Creek Valley Road & Single-family dwelling units

A(PD) Planned Development

East: Silver Creek & open space

A(PD) Planned Development

South: Silver Creek & Single-family dwelling units

A(PD) Planned Development

West: Open Space and Single-family dwelling units

A(PD) Planned Development

ENVIRONMENTAL STATUS

Completed by: JWB

☐ Environmental Impact Report found complete
☐ Negative Declaration circulated on
☐ Negative Declaration adopted on

☒ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: JWB

Annexation Title: Evergreen No. 161

Date: September 13, 1983

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval
☐ Approval with Conditions
☐ Denial
☐ Uphold Director's Decision

Date: _____

Approved by: _____
☐ Action
☒ Recommendation

APPLICANT/DEVELOPER/OWNER

Canyon Creek Plaza LP
Attn. Ed Abelite
3750 B Charter Park Drive
San Jose, Ca. 95136

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: JWB

Department of Public Works

See attached memorandum.

Other Departments and Agencies

None received.

GENERAL CORRESPONDENCE

None received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant is proposing to rezone the subject 8.3 gross acres from A(PD) Planned Development to A(PD) Planned Development to allow an up to 1,500 square-foot expansion to the previously approved 60,200 square-foot retail center.

The existing retail center was constructed in 2000 and represents the only commercial component within the greater Silver Creek Planned Residential Community (SCPRC), which was adopted in December of 1982. The retail center is a component of the Silver Creek Valley Country Club (File No. PDC91-065) approved in December 1991.

Planned Development Rezoning (File No. PDC99-039) approved, in August of 1999, allowed a previous expansion of 10,200 square-feet to the originally approved 50,000 square-foot retail center.

Surrounding land uses include Silver Creek Valley Road and Single-Family dwelling units to the north, Silver Creek Valley Road to the east, and Silver Creek, open space and single-family dwelling units to the south and west.

ENVIROMENTAL REVIEW

This project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended, under the provisions of Section **15301(e)(1)** of the State Guidelines for Implementation of CEQA. The proposed project is a minor expansion of an existing structure.

This exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use. The typical example is a proposed project with 50 percent of the floor area of the structures before the addition, or 2,500 square-feet, whichever is less.

Traffic

Traffic is a key consideration for projects in this area, which are subject to the Evergreen Development Policy. The Public Works Department recently reviewed a Traffic Impact Analysis for a larger proposed increase in square footage and concluded that the additional square-footage will not cause a degradation of the level of service for area intersections. The project conforms to the Evergreen Development Policy, therefore no mitigation is required.

GENERAL PLAN CONFORMANCE

The subject site is designated as commercial under the Silver Creek Planned Residential Community on the General Plan Land Use/Transportation Diagram. More specifically, the Planned Residential Community designates the subject area for commercial uses.

ANALYSIS

The primary issues associated with this project include 1) parking, and 2) architecture and site design.

Parking

The original project was built with 319 parking spaces; about 30 percent more parking than was required for such uses due, in part, to geologic constraints that limited the placement of buildings on the site. The proposed project, which represents a minor expansion to the existing structure, will continue to maintain adequate parking based on the required parking ratio.

Architectural and Site Design

The proposed expansion would create a one-story addition to the south side of the northernmost building (building three). The additional 1,500 square feet of commercial space will be architecturally consistent with the existing building and will be well integrated into the site design so that the addition will not appear as an “afterthought”. The placement of the addition represents a logical, internal infill configuration that will also help better screen an existing service court. The project as proposed conforms to the Commercial Design Guidelines.

PUBLIC OUTREACH

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site.

RECOMMENDATION

Planning staff recommends approval of the subject conforming rezoning for the following reasons:

1. The project is consistent with the General Plan Land Use/Transportation Diagram of Silver Creek Planned Residential Community (commercial).
2. The project has sufficient parking and traffic capacity.
3. The project conforms to the Evergreen Development Policy.
4. The project conforms to the Commercial Design Guidelines.